

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

IN RE: THERESIA ANN MARSHALL

**CHAPTER 13
Case No. 25-50626-KMS**

TRUSTEE'S OBJECTION TO CONFIRMATION

COMES NOW the Chapter 13 Trustee, by and through undersigned counsel, and files this Objection to Confirmation, and in support hereof, would show unto this Court the following, to-wit:

1.

This Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(L).

2.

Debtor filed her petition for relief under Chapter 13 of the United States Bankruptcy Code on April 29th, 2025.

3.

The Trustee objects to confirmation of Debtor's Chapter 13 plan (Dk. 2) based upon Debtor's proposed treatment of Wells Fargo's non-910 secured claim, secured by a 2016 Nissan Murano. While Section 3.5 of the plan proposes to surrender the vehicle to Wells Fargo, Section 8.1 of the plan proposes that the non-filing co-signer, Debtor's non-filing spouse, will pay the vehicle installment payments directly¹. The proposal to pay Wells Fargo directly conflicts with congressional intent to have Chapter 13 Trustees administer cases and make creditor disbursements. Furthermore, allowing Wells Fargo to be paid directly creates record-keeping, administration and supervision problems. If the vehicle is to be retained by the Debtor, Wells Fargo should be paid inside Debtor's plan.

WHEREFORE, PREMISES CONSIDERED, the Trustee prays that this Objection be received and filed and that an Order be entered denying confirmation of Debtor's proposed Chapter 13 plan and requiring Debtor to amend her plan to pay Wells Fargo inside the plan and prays for such other, further, and general relief to which the Trustee may be entitled.

DATED, this the 3rd day of July 2025.

Respectfully submitted,


s/

PHILLIP BRENT DUNAWAY
MS Bar No. 100443

¹ Despite the direct pay treatment of the car note, Debtor claims she will maintain a \$486.00 monthly vehicle insurance expense on Schedule J, Line 15c.

CERTIFICATE OF SERVICE

I, PHILLIP BRENT DUNNAWAY, Attorney for the Chapter 13 Trustee, do hereby certify that I have served electronically, a true and correct copy of the above and foregoing Trustee's Objection to Confirmation to:

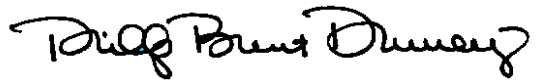
David Asbach, Esq., United States Trustee

USTPRegion05.JA.ECF@usdoj.gov

T.C. Rollins, Esq., Attorney for Debtor

trollins@therollinsfirm.com

DATED, this the 3rd day of July 2025.


s/

PHILLIP BRENT DUNNAWAY
MS Bar No. 100443

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